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REMARKS

Claims 30 and 31 are pending, with claims 30 and 31 being independent. Claims 1-29 and 32-35 are cancelled by this amendment without waiver or prejudice. No new matter is being added.

Interview Summary

Applicant and Applicant's representatives wish to thank Examiner Gold for the assistance extended during the personal interview held on July 20, 2005. In view of the discussion during the interview, the foregoing amendments, and the following remarks, reconsideration and allowance of the claims are respectfully requested.

Rejections under 35 U.S.C. 102

Claims 1-5, 8, 10-15, 20, 21, 23, 24, 26-29, and 32-35 stand rejected under 35 U.S.C. 102(e) as being anticipated by DeSimone et al. (U.S. Patent No. 6,212,548). Applicants have cancelled the rejected claims to render the rejection moot.

Rejections under 35 U.S.C. 103

Claims 6, 7, and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone in view of Doty, Jr. (U.S. Patent No. 6,795,863). Applicants have cancelled the rejected claims to render the rejection moot.

Claims 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone in view of Wan et al. (U.S. Patent No. 6,529,475). Applicants have cancelled the rejected claims to render the rejection moot.

Claims 22 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone in view of Lamb et al. (U.S. Patent No. 6,747,970). Applicants have cancelled the rejected claims to render the rejection moot.

Claims 30 and 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone in view of Fukasawa et al. (U.S. Patent No. 6,738,822). Applicants respectfully traverse this rejection, as discussed in the telephone interview.

Claims 30 and 31 recite a communications method (claim 30) and a communications apparatus (claim 31) for sending and receiving video instant messages. An instant messaging communications session is established between a sender and a recipient through an instant messaging host according to an instant messaging protocol. An instant message that is directed from the sender to the recipient is received at an instant messaging client. A discrete video instant message that has been recorded by the sender is received as a component part of the instant message. An indication that triggers the sending of the video instant message is received from the user after recording of the video instant message is completed by the sender.

Applicants request reconsideration and withdrawal of the rejection because DeSimone and Fukasawa, either alone or in combination, fail to describe or suggest all features and limitations of independent claims 30 and 31. Specifically, DeSimone and Fukasawa fail to describe or suggest receiving an indication from a user that triggers the sending of a video instant message after recording of the video instant message is completed by a sender, as recited in claims 30 and 31.

DeSimone describes enabling a user to participate in "multiple simultaneous real-time chat sessions with a plurality of other participants using a single client residing on a personal computer, workstation, or terminal" (DeSimone, col. 1, lines 31-33). While participating in one of the multiple chat sessions, the user may exchange a single type of message (e.g., textual messages, audio messages, or video messages) with other users that also are participating in the chat session. The multiple chat sessions may be operated in a client-server architecture (FIG. 2A), or in a peer-to-peer architecture (FIG. 2B). The user may participate in the multiple chat sessions through manipulation of one or more windows corresponding to the multiple chat sessions.

The Office Action acknowledges that "DeSimone fails to teach the limitation further including the receiving an indication from the user that triggers the sending of the video instant message after recording of the video instant message is completed by the sender" (Office Action, p. 11). However, the Office Action relies of Fukasawa to describe such a limitation.

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Fukasawa describes a relay apparatus that enables "information transmission between a server which serves information by its own communication format and a client which receives service on a general network" (Fukasawa, Abstract). The information is transmitted between the client and the server during a communications session that has been established between the client and the server by the relay apparatus. Specifically, the client submits a request to establish the session to the relay apparatus, and the relay apparatus establishes communications with each of the client and the server (Fukasawa, FIGS. 3 and 7, and col. 12, line 58 to col. 14, line 5). After the session has been established, the client may request the information from the server. In response, the relay apparatus obtains the requested information from the server and provides the requested information to the client (Fukasawa, FIGS. 5 and 9, and col. 14, line 56 to col. 15, line 53). The client may subsequently submit a request to terminate the session, and the relay apparatus may terminate the session in response (Fukasawa, FIGS. 4 and 8, and col. 14, lines 6-55). After the session has been terminated, no information is transferred between the client and the server through the relay apparatus.

Therefore, Fukasawa does not describe receiving an indication from a user that triggers the sending of a video instant message after recording of the video instant message is completed by a sender. In other words, Fukasawa does not describe or suggest the sender having the sender of the video instant message triggering sending of the video instant message after recording of the video instant message has been completed by the sender. Instead, Fukasawa describes transmitting information in response to a request from a client that does not specify the information. Moreover, Fukasawa does not describe receiving the request after specification of the information has been completed.

Thus, DeSimone and Fukasawa, either alone or in combination, do not describe the features of receiving an indication from a user that triggers the sending of a video instant message after recording of the video instant message is completed by a sender, as recited in claims 30 and 31. The combination of DeSimone and Fukasawa do not teach the nexus that is required between enabling participation in multiple simultaneous chat sessions and terminating a

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communications session in response to a request from a client participating in the communications session.

For at least these reasons, and as discussed during the telephone interview, Applicants request reconsideration and withdrawal of the rejection of independent claims 30 and 31.

Applicants submit that all pending claims are in condition for allowance.

No fees are believed to be due. During prosecution of this application, please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/29/05

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